

STARR, GERN, DAVISON & RUBIN, P.C.
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Roseland, NJ 07068-1640
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN THE MATTER OF THE ARBITRATION
BETWEEN

SUPREME OIL COMPANY, INC.,

Petitioner,

and

UFCW LOCAL 174 COMMERCIAL HEALTH
CARE FUND and COMMERCIAL PENSION
FUND,

Respondent.

Civil Action No. 07 CIV 6479

**AFFIRMATION OF SERVICE
OF NOTICE OF PETITION
AND SUPPORTING PAPERS**

JONATHAN J. LERNER, of full age, affirms as follows:

1. I am an attorney at law of the States of New York and New Jersey and a member in good standing of the bar of this Court. I am also a member of the firm of Starr, Gern, Davison & Rubin, P.C., attorneys for plaintiff, Care Environmental Corp. ("Care Environmental"). As such, I have personal knowledge of the facts set forth herein.

2. On July 18, 2007, I sent, by Federal Express overnight delivery, copies of plaintiff's (a) Notice and Petition to Vacate Arbitration Award; (b) Brief in Support; (3) Affirmation of Larry M. Cole, and (4) Rule 7.1 Statement, to the attorneys representing defendant in the underlying arbitration matter. A copy of my transmittal letter is attached as **Exhibit A**.

3. On July 23, 2007, plaintiff effectuated service of the aforesaid pleadings upon defendant, as appears from the Affidavit of Service attached hereto as **Exhibit B**.

I declare under penalty of perjury that the foregoing is true and accurate to the best of my knowledge, information and belief.



JONATHAN J. LERNER

Dated: August 1, 2007

EXHIBIT A

STARR, GERN, DAVISON & RUBIN

EDWIN S. RUBIN
RONALD L. DAVISON
AMOS GERN*†
IRA M. STARR°
JONATHAN J. LERNER**
HARLAN L. COHEN*
NICHOLAS STEVENS^
JEFFREY A. RIZIKA
STEPHEN R. URBINATO□
JOHN J. RATKOWITZ
ALLAN R. MORDKOFF>
KELLIANNE E. GREENWOOD**>
JAMES A. MESZAROS
ROBERT L. PITKOFKY*
JEFFREY E. GRABELLE
RICHARD T. WELCH*
ANGELA CERVELLI BENNETT

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E-mail: jlermer@starrgern.com

COUNSEL TO THE FIRM
LARRY M. COLE
OF COUNSEL
DOMENIC D. TOTO*

* MEMBER NY & NJ BAR
° MEMBER NJ & DC BAR
> MEMBER NJ & CT BAR
□ MEMBER NJ & PA BAR
v MEMBER NY BAR
† CERTIFIED BY THE
SUPREME COURT OF
NEW JERSEY AS A
CIVIL TRIAL ATTORNEY
^ N.J.C.R. 1:40
QUALIFIED MEDIATOR

Please Reply to Roseland

July 18, 2007

Via Federal Express

Andrew J. Calcagno, Esq.
Calcagno & Associates, LLC
212 South Avenue East
Cranford, NJ 07016

Re: In the Matter of the Arbitration of Supreme Oil Company, Inc. and UFCW Local 174
Commercial Health Care Fund and Commercial Pension Fund

U.S. District Court, Southern District of New York
Civil Action No. 07 CIV 6479

Dear Mr. Calcagno:

As you may know, we are attorneys for Supreme Oil Company, Inc.

Enclosed please find copies of the following pleadings filed in support of our client's petition to vacate the arbitration award in this matter:

1. Notice and Petition to Vacate Arbitration Award;
2. Brief in Support of Petitioner's Application to Vacate Arbitration Award;
3. Affirmation of Larry M. Cole in Support of Petitioner's Application to Vacate the Arbitration Award; and
4. Rule 7.1 Statement.

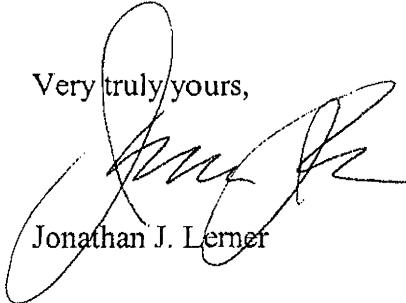
Enclosed is an acknowledgment of service. If you are authorized to accept service of the enclosed pleadings, I would ask that you sign and return the acknowledgment to me at your

July 18, 2007
Page 2

earliest opportunity. Upon receipt of the acknowledgment, I will instruct our process server to return the pleadings to our office.

Thank you for your anticipated cooperation.

Very truly yours,



Jonathan J. Lerner

JJL/lhc

encls.

cc: Supreme Oil Company, Inc.

EXHIBIT B

IN THE MATTER OF THE ARBITRATION BETWEEN SUPREME OIL
COMPANY, INC.

Index #: 07 CIV 6479 (HOLWELL

Plaintiff(s)

- against -

Date Filed:

UFCW LOCAL 174 COMMERCIAL HEALTH CARE FUND AND
COMMERCIAL PENSION FUND

AFFIDAVIT OF SERVICE

Defendant(s)

Attorney File #1: 75865-004

STATE OF NEW YORK: COUNTY OF NEW YORK ss:

BYRAN E. MCELDERRY BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO THIS ACTION, OVER THE
AGE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK.

That on July 23, 2007 at 03:26 PM at

540 WEST 48TH STREET 2ND FLOOR
NEW YORK, NY10036

deponent served the within true copy of the NOTICE OF PETITION VACATE ARBITRATION AWARD,BRIEF IN
SUPPORT,AFFIRMATION OF LARRY M. COLE,RULE 7.1 STATEMENT on UFCW LOCAL 174 COMMERCIAL HEALTH CARE FUND,
the defendant/respondent therein named,


CORPORATION by delivering thereat a true copy of each to MS. DORISELA MARTINEZ personally, deponent knew said
corporation so served to be the corporation described in said NOTICE OF PETITION VACATE ARBITRATION
AWARD,BRIEF IN SUPPORT,AFFIRMATION OF LARRY M. COLE,RULE 7.1 STATEMENT as said
defendant/respondent and knew said individual to be AUTHORIZED to accept thereof.

Deponent further states that he describes the person actually served as follows:

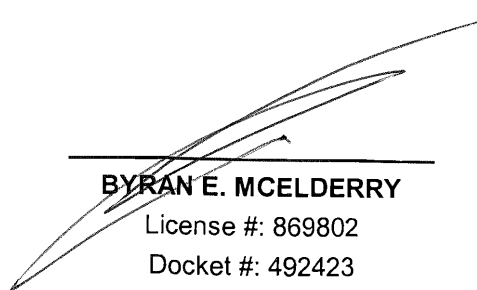
Sex	Skin Color	Hair Color	Age (Approx.)	Height (Approx.)	Weight (Approx)
FEMALE	BROWN	BLACK	26	5'3	130

Sworn to me on: July 24, 2007

Linda Forman
Notary Public, State of New York
No. 01FO5031305
Qualified in New York County
Commission Expires August 1, 2010


Robin M. Forman
Notary Public, State of New York
No. 01FO6125415
Qualified in New York County
Commission Expires April 18,
2009

Larry Yee
Notary Public, State of New York
No. 01YE5015682
Qualified in New York County
Commission Expires July 26, 2009


BYRAN E. MCELDERRY
License #: 869802
Docket #: 492423